United Nations S/PV.4872

Security Council

Fifty-eighth year

Provisional

4872nd meeting

Monday, 24 November 2003, 4.25 p.m.

New York

President:	Mr. Gaspar Martins	(Angola)
Members:	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Chungong Ayafor
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. von Ungern-Sternberg
	Guinea	Mr. Fall
	Mexico	Mr. Pujalte
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Lavrov
	Spain	Ms. Menéndez
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

The situation between Iraq and Kuwait

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03-62817 (E)

The meeting was called to order at 4.25 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President: I welcome the presence of the Secretary-General, Mr. Kofi Annan, at this meeting.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/1107, which contains the text of a draft resolution submitted by Bulgaria, Chile, Guinea, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1518 (2003).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We have joined the Security Council consensus on the establishment of a new Committee charged with drawing up a list of individuals and entities pursuant to paragraphs 19 and 23 of resolution 1483 (2003). At the same time, we would like to note that not all of our concerns were adequately addressed in the resolution just adopted.

We have no concerns about the resolution in principle, with regard to the need to continue the work of drawing up a list of individuals and entities that fall under paragraph 23 of resolution 1483 (2003). However, we are convinced, due to the very unstable situation in the area of ensuring security in Iraq, that it is necessary to continue monitoring for any possible violations of the bans on the delivery of weapons and ammunition to that country. Those bans remain fully in force under resolution 1483 (2003).

We do not understand why the authors of the resolution just adopted refused, at this stage, to entrust this new Committee with the function of monitoring the arms embargo, particularly at a time when we regularly hear statements on the illegal flow of arms into Iraq.

The arms embargo was imposed by the Security Council, which is responsible for ensuring appropriate and transparent monitoring of compliance with the embargo. If the new Committee is not entrusted with monitoring for violations, any new violations will be considered directly by the Security Council. We intend to come back to the issue of giving this new Committee monitoring authority, as provided for in paragraph 3 of the resolution just adopted.

Mr. von Ungern-Sternberg (Germany): The resolution just adopted establishes a follow-up Committee to the Committee established pursuant to resolution 661 (1990), which was terminated on 21 November, according to resolution 1483 (2003). Germany has approved this resolution because we attach great importance to continuity as regards the implementation of sanctions resolutions adopted by the Security Council.

We would like to thank the delegation of the United Kingdom for having taken the initiative to create this follow-up mechanism.

We agree that the identification of individuals and entities pursuant to paragraph 19 of resolution 1483 (2003) is a task best carried out by a subsidiary organ of the Security Council.

The arms embargo against Iraq has been maintained pursuant to paragraph 10 of resolution 1483 (2003). Given the fact that the mandate of this follow-up Committee does not cover the monitoring of compliance with the arms embargo, it will be up to the Council to supervise the arms embargo against Iraq.

For technical reasons but also for reasons of principle, we would have preferred if the mandate of this new sanctions committee had covered all remaining sanctions, for example, including the arms embargo. We therefore believe that it would be advisable to review the mandate of the committee in due course, in accordance with paragraph 3 of this resolution.

The President: I now give the floor to the representative of France.

Mr. De La Sablière (France) *(spoke in French)*: France voted in favour of the resolution that created a new committee in charge of taking over from the 661 committee, which concluded last Friday, in order to ensure the follow-up of the implementation of freezes and transfers of the financial assets of the Government of Saddam Hussain in Iraq and of high officials of his regime, as provided for in Security Council resolution 1483 (2003). It was particularly important to ensure, from a practical and technical standpoint, the continuity of the monitoring of the implementation of those financial sanctions.

The possibility of broadening the mandate of the new committee to include monitoring the arms embargo, as defined in paragraph 10 of resolution 1483 (2003), is a step in the right direction. Indeed, we attach great importance to monitoring the implementation of sanctions, and, in particular, of embargoes adopted by the Security Council.

In this regard, the sanctions committees, subsidiary organs of the Security Council, are irreplaceable instruments that the Council, in its exercise of sanctions, systematically establishes. For reasons of principle related to the coherence of the Security Council's practice in monitoring the implementation of sanctions, and bearing in mind the current situation in Iraq, it would seem particularly desirable that the new committee be able, as soon as possible, to monitor compliance by States with the arms embargo against Iraq. In the meantime, this monitoring should be ensured directly by the Security Council.

Mr. Pujalte (Mexico) *(spoke in Spanish)*: Mexico joined in the consensus for the adoption of resolution 1518, based on the following understandings: first, in connection with operative paragraph 2, regarding adoption of the guidelines and definitions for the implementation of the provisions of paragraphs 19 through 23 of resolution 1483 (2003), Mexico notes that on its territory, this will be done in accordance with Mexican law and with strict compliance with the principle of legality. Secondly, with regard to operative paragraph 3 of the resolution, which refers to the possibility of authorizing an additional provision concerning observing Member States' fulfilment of their obligations, under paragraph 10 of resolution 1483 (2003), Mexico notes the following: a general embargo was established by resolution 661 (1990), including an arms embargo. Security Council resolution 1483 (2003) lifted all of the sanctions except for the arms embargo and, therefore, there is an obligation on the part of the Council to oversee the arms embargo in Iraq as is done with other embargoes by the Security Council, without any distinction whatsoever.

The President: The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

The meeting rose at 4.35 p.m.